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FRONTIER AIRLINES, INC.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ANDREA RIDGELL, on behalf of  
herself and others similarly situated,

Plaintiff,

v.

FRONTIER AIRLINES, INC. a  
Colorado corporation; AIRBUS  
S.A.S., a foreign corporation doing  
business in the State of California;  
AIRBUS GROUP HQ, INC., a  
corporation doing business in the State  
of California,

Defendants.

Case No.: 2:18-CV-04916 PA (AFMx)

DECLARATION OF JAMES E. NIDES  
IN SUPPORT OF FRONTIER  
AIRLINES INC.'S MOTION FOR  
SUMMARY JUDGMENT

Date: June 17, 2019

Time: 1:30 p.m.

Place: Courtroom of the Honorable Percy  
Anderson

I, James E. Nides, declare and state as follows:

1. Frontier Airlines, Inc. (hereinafter "Frontier") is an air carrier certified by the United States Department of Transportation to engage in interstate air transportation.

2. I am employed by Frontier in the position of Senior Vice President, Special Projects. I have held this position at Frontier since April 9, 2019. Prior to

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1 holding this role, I was employed by Frontier as Chief Operating Officer. I held  
2 that position at Frontier from January, 2017 through April 8, 2019. Despite the  
3 change in job title, my job duties at Frontier have remained substantially the same.  
4 In my roles at Frontier, my job duties include: designing and implementing  
5 business strategies and company policies and procedures; setting goals for  
6 performance and growth; overseeing daily operations of Frontier; evaluating  
7 company performance; and overseeing executive teams.

8 3. I have personal knowledge of the facts contained in this declaration. I  
9 can competently testify to these facts if called as a witness in these proceedings.

10 4. This declaration is submitted in support of Frontier's motion for  
11 summary judgment, filed concurrently herewith.

12 5. In my job duties at Frontier, I am familiar with the federal aviation  
13 laws and regulations to which Frontier's operations must adhere.

14 6. The United States Federal Aviation Administration ("FAA") mandates  
15 that aircraft be both registered and certified as airworthy. *See* 14 C.F.R. § 121.153.

16 7. Aircraft manufacturers must obtain a type certificate from the FAA,  
17 which certifies that an aircraft performs properly and meets the safety standards  
18 defined in the FAA's regulations. *See* 49 U.S.C. § 44704(a); 14 C.F.R. § 21.31.

19 8. To operate the aircraft, air carriers must also receive an airworthiness  
20 certificate, which certifies that the aircraft conforms to its type certificate and is in  
21 condition for safe operation. *See* 49 U.S.C. § 44704(d); 14 C.F.R. § 125.91.

22 9. All of the aircraft operated by Frontier have been certified as  
23 airworthy by the FAA. Frontier would not operate aircraft in violation of FAA  
24 requirements that all aircraft be certified as airworthy.

25 10. The FAA also regulates the scope and content of air carrier  
26 maintenance programs. *See* 14 C.F.R. §§ 43, 119, 121 and 135, *et seq.* Frontier  
27 operates its maintenance program in accordance with FAA regulations.

28 11. At all relevant times, the Airbus aircraft that operated flight no. 1630

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1 on or about June 3, 2017 was certified as airworthy by the FAA and was  
 2 maintained and inspected in accordance with the FAA's requirements for safe  
 3 operation of aircraft.

4 12. In the course of my responsibilities at Frontier, I have reviewed  
 5 Frontier's records relating to the subject incident, which involved detection of an  
 6 odor on flight no. 1630 on or about June 3, 2017. According to Frontier's records,  
 7 the pilots of flight 1630 requested, out of an abundance of caution, to land the  
 8 aircraft in Phoenix due to an unknown odor.

9 13. When such an incident occurs, Frontier maintains records in the  
 10 regular course of its business relating to any suspected defects that are reported  
 11 with respect to the fleet of aircraft it operates. Attached hereto as Exhibit A is a  
 12 true and correct copy of Frontier's defect reports for the subject aircraft, from  
 13 March through July, 2017. The report regarding the subject incident is reflected in  
 14 row 121 of Exhibit A.

15 14. In accordance with applicable procedures, when the aircraft landed in  
 16 Phoenix, it was inspected in accordance with FAA regulations by a technician in  
 17 Frontier's FAA-certified maintenance program. *See* Declaration of Henry  
 18 Villareal.

19 15. As evidenced by Exhibit A, the inspection of the aircraft revealed no  
 20 problems or issues with the aircraft and, accordingly, no repairs to the aircraft were  
 21 made. Exhibit A also reflects that, in the four weeks following the incident, the  
 22 subject aircraft was tracked and there were no reports of any unknown odors  
 23 detected.

24 16. In its regular course of business, Frontier also maintains records  
 25 relating to passenger communications with our customer relations department.  
 26 Attached hereto as Exhibit B is a true and correct copy of correspondence between

27 //

28 //

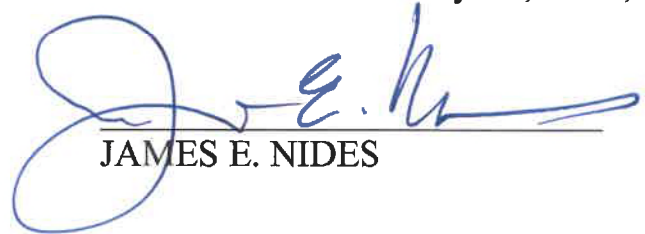
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Frontier's customer relations department and plaintiff Andrea Ridgell, which informed her that there were no problems with the aircraft.<sup>1</sup>

17. In relation to the allegations that plaintiff has made against Frontier, it is also relevant to note that Frontier is not aware of any crew member or passenger from flight no. 1630 having been diagnosed with any injury or illness as a result of the odor detected during the flight.

18. In relation to the allegations that plaintiff has made against Frontier, it is also relevant to note that Frontier did not manufacture, distribute or act as a retailer of the subject aircraft. In that regard, Frontier does not design, manufacture, assemble, sell, or distribute any aircraft. Neither does it represent, promote, or market aircraft.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 17, 2019, at Denver, Colorado.



JAMES E. NIDES

<sup>1</sup> Of note, plaintiff sought a refund from Frontier due to the diversion, but Frontier's customer service department responded in accordance with Frontier's Contract of Carriage, which provides no basis for a refund in the event that a ticket has been fully used and the passenger has been transported from the point of origin to the destination.

# Exhibit A



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
21	MX	1	CLOSED	308	5	AIRCRAFT REQUIRES SERVICE CHECK. ENK WAS OPENED FOR DOCTORS USE. NEEDS TO BE CHECKED AND RESEALED	ACCOMPLISHED SERVICE CHECK IAW TFC FT-005100-01-A, AC OK FOR SVC. T.G. #146642 E/F 06APR16	MCO	04/14/17	04/14/17	20	75019	1032077	A320	250N	MCO			1032077
22	PILOT	1	CLOSED	308	25	ENGINE S/N 580208 #1 LH REQUIRES COMPLIANCE OF ENGINE S/N 580208 #1 LH REQUIRES COMPLIANCE OF 580208	INSTALLED NEW ENK AS REQD OK TO CONTINUE COMPLIED WITH EAM AC-79R-33719 FOR LH ENG S/N 580208	DEN	04/14/17	04/14/17	64	401914	1032078	A320	250N	DEN			1
23	MX	2	CLOSED	308	79	PERIODIC CHECK REQUIRED	COMPLETED PERIODIC CHECK AS REQUIRED	DEN	04/15/17	04/15/17	0	403258	1032081	A320	250N	DEN			1032081
24	MX	1	CLOSED	308	5	INSTALLED MLG DOOR LOCK SLEEVES AS REQUIRED	REMOVED MLG DOOR LOCK SLEEVES AS REQUIRED	MCO	04/15/17	04/15/17	0	403258	1032081	A320	250N	DEN			1032081
25	MX	1	CLOSED	308	32	PERIODIC CHECK DUE	CW PERIODIC CHECK PER TASK CARD FFT-M05100-40-	MCO	04/16/17	04/16/17	0	74634	1032084	A320	250N	MCO			1032084
26	MX	1	CLOSED	308	5	PERIODIC CHECK DUE	FM DATABASE UP/GRSS LOADED REF TASK CARD FFT-T22210-1. NO DEFECTS NOTED AT THIS TIME.	DEN	04/17/17	04/17/17	20	427351	1032090	A320	250N	DEN			1032090
27	MX	1	CLOSED	308	22	FM DATABASE UP/CROSSLOAD REQUIRED	NEW FIDRIFT81706001.	DEN	04/17/17	04/17/17	70	427469	1032092	A320	250N	DEN			1032092
28	MX	1	CLOSED	308	5	SERVICE CHECK DUE	COMPLIED WITH SERVICE CHECK IN ACCORDANCE	DCA	04/17/17	04/17/17	20	DCA	1032095	A320	250N	DCA			1032095
29	PILOT	1	CLOSED	308	73	ENG 2 FADEC (CLASS 2 MX)	TESTED ENG 2 FADEC CHANNELS A AND B REF TO AMM 72-29-00-10-802-A. NO FAULTS FOUND. FAULT	DEN	04/17/17	04/17/17	20	412864	1032093	A320	250N	DEN			1032093
30	MX	1	CLOSED	308	5	3 DAY SERVICE CHECK DUE	PERFORMED LEAK CHECK CW	DEN	04/19/17	04/19/17	20	413719	1032098	A320	250N	DEN			1032098
31	PILOT	1	CLOSED	308	71	EVIDENCE OF LIQUID LEAK UNDER #1 ENGINE	REMOVED MLG DOOR LOCK SLEEVES AS REQUIRED. PREVIOUS AIR CRAFT OIL SERVICE - "AIRCRAFT OK FOR SERVICE"	DCA	04/19/17	04/19/17	0	70614	1032099	A320	250N	DCA			1032099
32	PILOT	1	CLOSED	308	5	BIRD STRIKE BELOW CAPTAIN WINDOW	CW BIRD STRIKE INSPECTION IAW AMM 05-51-14-200-	DCA	04/19/17	04/19/17	50	70614	1032100	A320	250N	DCA			1032100
33	MX	1	CLOSED	308	5	PERIODIC CHECK DUE	803-A, NO DAMAGE FOUND. AC OK TO CONT SERVICE	DEN	04/20/17	04/20/17	20	403234	1079402	A320	250N	DEN			1079402
34	MX	1	CLOSED	308	5	SERVICE CHECK DUE	PERFORMED WITH SERVICE CHECK IN ACCORDANCE WITH GMM 15.01	TTN	04/21/17	04/21/17	20	75442	1079405	A320	250N	TTN			1079405
35	PILOT	1	CLOSED	308	5	BIRD STRIKE FOUND ON #1 ENGINE ON PREFLIGHT.	AMM 05-51-19-PB 601 NOT DAMAGE NOTED AT THIS TIME. AC OK FOR SERVICE.	TTN	04/21/17	04/21/17	50	75442	1079404	A320	250N	TTN			1079404
36	MX	2	CLOSED	308	5	REF UP 1079404 ITEM 1 INCKETED BIRD REQUIRES BOROSCOPE INSPECTION	(Resolved On W/O. 309882 Taskcard: NR-00001 )	TTN	04/22/17	04/22/17	50	FORMECH	1128203	A320	250N	DEN			1079407
37	MX	2	CLOSED	308	72	BOROSCOPE	PERFORMED MIN IDLE LEAK CHECK POST MX INREF TO AMM 71-00-00-710-815 NO LEAKS NOTED	DEN	04/22/17	04/22/17	0	403500	1079407	A320	250N	DEN			1079407
38	MX	1	CLOSED	308	72	#1 ENG REQUIRES BOROSCOPE INSPECTION DUE TO BIRD STRIKE PER MDRR 112803 AND EA AC 72R-33723	NO DAMAGE OR DEBRIS NOTED. CLOSE TDI TO AMM 72-00-00-914-A AND 72-30-00-280-801-A N	DEN	04/22/17	04/22/17	0	403212	1079407	A320	250N	DEN			1079407
39	PILOT	2	CLOSED	308	5	ENGINE FOR BIRD STRIKE INSPECTION.	18 F97AB100310C DCUE 4-17 REINSTALLED	DEN	04/22/17	04/22/17	50	403500	1079406	A320	250N	DEN			1079406
40	PILOT	1	CLOSED	308	52	NO DAMAGE OR DEBRIS NOTED. CLOSE TDI TO AMM 72-00-00-914-A AND 72-30-00-280-801-A N	DEBRIS CAUGHT ON DOOR MID STRIKER LATCH. 51-10-00 DEBRIS - OPS CHECK NORMAL REF AMM 52-	DEN	04/22/17	04/22/17	51	408801	1079406	A320	250N	DEN			1079406
41	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED	COMPLIED WITH PERIODIC CHECK IAW FFT-M05100-40-	DEN	04/22/17	04/22/17	20	74875	1079411	A320	250N	DEN			1079411
42	PILOT	1	CLOSED	308	27	FCTL-ALTERNATE LAMP MSG	RESET ELAC. FWC. FDCD PER MCC BB-41382. REF	DEN	04/23/17	04/23/17	93	74688	1079413	A320	250N	DEN			1079413
43	MX	2	CLOSED	308	32	PERIODIC CHECK DUE	AMM 27-93-00-710-001.	DEN	04/23/17	04/23/17	0	403258	1079413	A320	250N	DEN			1079413
44	MX	2	CLOSED	308	5	PERIODIC CHECK DUE	CW SERVICE CHECK PER W/C FFT-M05100-40-	DEN	04/24/17	04/24/17	0	403751	1079413	A320	250N	DEN			1079413
45	MX	1	CLOSED	308	5	PERIODIC CHECK DUE	CW PERIODIC CHECK PER W/C FFT-M05100-40-	DEN	04/25/17	04/25/17	20	401150	1079418	A320	250N	DEN			1079418
46	PILOT	1	CLOSED	308	78	ENG 1 REV MINOR FAULT (REV MINOR FAULT ON EWD) (REV MINOR FAULT ON EWD) (REV MINOR FAULT ON EWD)	REF MDRR 1128339 FOR ENG 1 REV MINOR FAULT. RESET ENG 1 TIR TLR HOOK. REF AMM 78-37-00-440-802	DEN	05/01/17	04/26/17	30	427469	1079419	A320	250N	DEN			1079437
47	MX	2	CLOSED	308	5	SERVICE CHECK DUE	804-A. REMOVED MEL & PLACARDS	LAS	04/26/17	04/26/17	20	74777	1079419	A320	250N	LAS			1079419
48	PILOT	1	CLOSED	308	25	FWD PIT BLOW OUT PANELS DISLODGED (CARGO PNL MX OR OPS FR BEFORE EACH FLT) (CARGO PNL MX OR OPS FR BEFORE EACH FLT)	REINSTALLED FWD CARGO COMPARTMENT BLOWOUT PANEL. REF AMM 25-68-41-920-161 - REMOVED	SLC	04/26/17	04/26/17	50	401300	1079421	A320	250N	DEN			1079421
49	MX	1	CLOSED	308	5	PERIODIC CHECK ASSIGNED	PERIODIC CHECK CW PER TASK CARD FFT-M05100-40-	MCO	04/27/17	04/27/17	20	73329	1079423	A320	250N	MCO			1079423
50	MX	1	CLOSED	308	5	SERVICE CHECK DUE	COMPLIED WITH SERVICE CHECK IN ACCORDANCE WITH GMM 15.01	TTN	04/27/17	04/27/17	20	75443	1079425	A320	250N	TTN			1079425
51	PILOT	1	CLOSED	308	28	FUEL CAP MISSING SECTION OF O RING (FUEL PLING CAP (MX FR ONCE EACH FLT DAY)) (FUEL PLING CAP MX FR ONCE EACH FLT DAY))	FUEL CAP O RING INTACT - SMALL PIECE OF SEAL ENIT	RDU	04/27/17	04/27/17	25	73600	1079424	A320	250N	RDU			1079424
52	MX	2	CLOSED	308	32	INSTALLED MLG DOOR GROUND LOCK SLEEVES	REMOVED MLG DOOR GROUND LOCK SLEEVES PER AMM 32-00-00-081-002-A	TTN	04/29/17	04/29/17	0	75443	1079427	A320	250N	TTN			1079427



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
88	MX	2	CLOSED	308	32	LEFT NLG TIRE WTL	REMOVED AND REPLACED NLG LH TIRE WHEEL ASSY IAW T1C0605 CAL DUE 04/05/18 DUE 9 SEP 17	TPA	05/17/17	05/17/17	41	74460	9006192	A320	250N	TPA			9006192
89	MX	1	CLOSED	308	32	RIGHT NLG TIRE WTL	REMOVED AND REPLACED NLG TIRE WHEEL ASSY IAW AMM 32-41-12 PB 401 MCC NOTIFIED TIRE PRESSURE GAUGE SAN N1804 DUE 9 SEP 17	TPA	05/17/17	05/17/17	41	74460	9006193	A320	250N	TPA			9006193
90	PILOT	1	CLOSED	308	23	PERIODIC CHECK DUE (CVR)	CVR TEST PRODUCED LOUD FEEDBACK (CVR) (CVR) REMOVED MEL	TPA	05/18/17	05/17/17	71	403256	9006192	A320	250N	DEN	112865		9006197
91	MX	1	CLOSED	308	25	EF LOG PAGE 1089881 #1 MEL 80-11-01A FR REQUIRED FOR #2 ENGINE START VALVE	PERIODIC CHECK DUE REF FTT-M05100-M0-1	DEN	05/18/17	05/18/17	0	403177	9006195	A320	250N	DEN			9006195
92	MX	2	CLOSED	308	80	PERIODIC CHECK DUE	REF FTT-M05100-M0-1	AD	05/18/17	05/19/17	11	74183	1068883	A320	250N	AD			1068883
93	MX	2	CLOSED	308	5	SEAT 13C MISSING ARMREST COVER	PERFORMED PERIODIC CHECK IAW TTC FTT-M05100-M0-1	MCO	05/19/17	05/19/17	21	75961	9006199	A320	250N	MCO			9006199
94	PILOT	1	CLOSED	308	25	PERIODIC CHECK DUE	INSTALLED ARMREST COVER AS REQ	MCO	05/19/17	05/19/17	21	400415	9006201	A320	250N	DEN			9006201
95	PILOT	1	CLOSED	308	27	FTCL SPUR FAULT #1	RESET SPOILERS IAW AMM 27-94-00-710-002 NO FAULT NOTED	MCO	05/19/17	05/19/17	64	75961	9006199	A320	250N	MCO			9006199
96	MX	1	CLOSED	308	32	MLG PINS INSTALLED	UPLOADED NAV DATABASE FTT0706001 PERT TASK	DEN	05/20/17	05/20/17	12	400681	9006203	A320	250N	DEN			9006203
97	MX	1	CLOSED	308	22	VBM	CARD FTT-72210-TO-1-1	DEN	05/20/17	05/20/17	71	404655	9006204	A320	250N	DEN			9006204
98	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED	COMPLIED WITH PERIODIC CHECK IAW FTT-M05100-M0-1	SAN	05/21/17	05/21/17	20	70250	9005206	A320	250N	SAN			9005206
99	MX	1	CLOSED	308	5	PERIODIC CHECK ASSIGNED	1. PERIODIC CHECK COW PER TASK CARD FTT-M05100-M0-1	MCO	05/22/17	05/22/17	20	73329	9005211	A320	250N	MCO			9005211
100	MX	308	CLOSED	308	5	SERVICE CHECK DUE	COMPLIED WITH SERVICE CHECK IN ACCORDANCE WITH GMM 15.01	TTN	05/23/17	05/23/17	20	TTN	5	A320	250N	TTN			9005215
101	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED PERIODIC CHECK REQUIRED	1. COMPLIED WITH PERIODIC CHECK IAW FTT-M05100-M0-1	CVG	05/24/17	05/24/17	20	74975	9005217	A320	250N	CVG			9005217
102	MX	1	CLOSED	308	71	#1 ENGINE REQUIRES MINIMUM IDLE LEAK CHECK	PERFORMED #1 ENG MINIMUM IDLE LEAK CHECK REF AMM 72-29-00-740-803	DEN	05/25/17	05/25/17	71	404817	9005220	A320	250N	DEN			9005220
103	MX	2	CLOSED	308	71	#2 ENGINE REQUIRES MINIMUM IDLE LEAK CHECK	PERFORMED #2 ENG MINIMUM IDLE LEAK CHECK REF AMM 72-29-00-740-803	DEN	05/25/17	05/25/17	71	404817	9005220	A320	250N	DEN			9005220
104	MX	2	CLOSED	308	5	SERVICE CHECK REQUIRED	CW SERVICE CHECK	DEN	05/25/17	05/25/17	20	404817	9005221	A320	250N	DEN			9005221
105	MX	1	CLOSED	308	32	INSTALLED GROUND SAFETY LOCKS	RE-SECURED FWD PIT BLOW OUT PANEL PER AMM 25-15	SNA	05/26/17	05/26/17	50	70330	9005222	A320	250N	SNA			9005222
106	PILOT	1	CLOSED	308	35	FWD PIT - PANEL UNSECURE	PERIODIC CHECK COW IAW FTT-M05100-M0-1	MCO	05/26/17	05/26/17	20	75022	9005224	A320	250N	MCO			9005224
107	MX	1	CLOSED	308	5	ACFT DUE PERIODIC CHECK	COCKPIT DOOR MICROSWITCH ARM DOOR OPS CHECK GOOD IAW AMM 52-51-00710-002-A OK FOR SERVICE	LAS	05/26/17	05/26/17	50	74753	9005226	A320	250N	LAS			9005226
108	PILOT	1	CLOSED	308	52	WHEN COCKPIT DOOR OPENS	LANDING GEAR SAFETY DEVICES REMOVED	AUS	05/27/17	05/27/17	12	74145	9005227	A320	250N	AUS			9005227
109	MX	1	CLOSED	308	32	PERIODIC CHK DUE	CW PERIODIC CHK REF CARD FTT-M05100-M0-1	DEN	05/28/17	05/28/17	20	402884	9005231	A320	250N	DEN			9005231
110	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED	COMPLIED WITH PERIODIC CHECK IAW FTT-M05100-M0-1	TTN	05/29/17	05/29/17	20	74190	9005232	A320	250N	TTN			9005232
111	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED	1. COMPLIED WITH SERVICE CHECK IN ACCORDANCE WITH GMM 15.01	TTN	05/30/17	05/30/17	20	TTN	9005235	A320	250N	TTN			9005235
112	MX	1	CLOSED	308	5	SERVICE CHECK DUE	ICAS MODE SELECTOR KNOB AS REQUIRED OPS CHECK GOOD	TTN	05/30/17	05/30/17	20	TTN	9005234	A320	250N	TTN			9005234
113	PILOT	1	CLOSED	308	23	USED	COMPLIED WITH PERIODIC CHECK IAW FTT-M05100-M0-1	TTN	05/31/17	05/31/17	20	TTN	9005237	A320	250N	TTN			9005237
114	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED	1. CLEARED MDR# 1129172 INSTALLER CERT OF SANITATION AS REQUIRED	TTN	06/02/17	05/31/17	30	403603	9005238	A320	250N	DEN	1129172		9005247
115	PILOT	1	CLOSED	308	11	DOOR (PLACARDS MARKINGS DECALS) (PLACARDS MARKINGS DECALS)	1. COMPLIED WITH PERIODIC CHECK IAW FTT-M05100-M0-1	CVG	06/01/17	06/01/17	20	74875	9005240	A320	250N	CVG			9005240
116	MX	1	CLOSED	308	5	PERIODIC CHECK REQUIRED	WITH GMM 15.01	LAS	06/02/17	06/02/17	20	74777	9005244	A320	250N	LAS			9005244
117	MX	1	CLOSED	308	5	SERVICE CHECK DUE	RESET FWD COFFEE MAKER PERFORMED OPS OK	DEN	06/02/17	06/02/17	0	401154	9005246	A320	250N	DEN			9005246
118	PILOT	1	CLOSED	308	25	FWD GALLEY COFFEE POT NOT BREWING	NORMAL BREW NO LEAKS OK TO CONTINUE	DEN	06/02/17	06/02/17	0	401154	9005246	A320	250N	DEN			9005246
119	PILOT	1	CLOSED	308	25	RE-SECURED FWD PIT BLOW OUT PANEL PER AMM 25-15	PERFORMED PERIODIC CHECK IAW FTT-M05100-M0-1	DEN	06/02/17	06/02/17	35	411183	9005247	A320	250N	DEN			9005247
120	PILOT	2	CLOSED	308	5	LANDED 10,000 LBS OVERWEIGHT	REF AMM 31-37-00-200-001-A NO RECORD IN AIDS STORED REPORTS OK TO CONTINUE	PHX	06/03/17	06/03/17	50	404655	9005248	A320	250N	PHX			9005248
121	PILOT	1	CLOSED	308	5	FA REPORTED SULFUR/PROPANE SMELL IN CABIN	RAN #1 AND #2 ENGINES WITH PACKS - RAN APU WITH PACKS - INSPECTED PACKS - INSPECTED PACKS	PHX	06/03/17	06/03/17	50	404605	9005248	A320	250N	PHX			9005248
122	MX	1	CLOSED	308	32	THE SMELL WAS FOLLOWED BY SOME HAZE IN CABIN	REC'D FILTERS INSPECTED AVIONICS COMP NO DEFECTS NOTED REF TSM 65-50-00-801-A	DEN	06/04/17	06/04/17	12	406881	9005250	A320	250N	DEN			9005250



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
163	MX	1	CLOSED	308	11	AIRCRAFT REQ'S REPLACEMENT OF CERTIFICATION RESTRAINT	REPLACED CERTIFICATE OF REGISTRATION PER EAW AL-1055054 AL-1055054 CLEANED ALL THREE LAV SMOKE DET. FILTERS FAULT CLEARED REF. AMM 21-23-00-600-001 ACCOMPLISHED PERIODIC CHECK IAW T/C FTT-M05100	DEN	06/19/17	06/19/17	0	401182	1085054	A320	250N	DEN			1085054
164	PILOT	1	CLOSED	308	23	CLASS 2 MESSAGE : MAINTENANCE CIDS 1		DEN	06/19/17	06/19/17	73	403253	1085053	A320	250N	DEN			1085053
165	MX	1	CLOSED	308	5	AIRCRAFT REQUIRES PERIODIC CHECK		MCO	06/20/17	06/20/17	20	75984	1085056	A320	250N	MCO			1085056
166	PILOT	1	CLOSED	308	32	INSTALLED M/G DOOR GROUND LOCKS		TTN	07/13/17	06/20/17	0	75987	1075059	A320	250N	TTN			1085059
167	MX	1	CLOSED	308	32	INSTALLED M/G DOOR GROUND LOCKS		TTN	06/20/17	06/20/17	10	75987	1085059	A320	250N	TTN			1085059
168	PILOT	1	CLOSED	308	72	2 LONGITUDINAL CRACKS ON FAN CASING	FOUND TO BE WITHIN LIMITS PER AMM 72-21-00 PB601. AIRCRAFT OK FOR SVC	TTN	06/21/17	06/21/17	20	75987	1085060	A320	250N	TTN			1085060

# Exhibit B

**Frontier Airlines: Experience onboard****Discussion Thread****Response****06/07/2017 10:41 PM**

Dear Andrea,

Thank you for letting me know about your flight from Los Angeles to Orlando on June 2, 2017. I am sorry about the diversion.

**Our Apologies**

I understand you're flying with us because you have somewhere to be. That's a reasonable expectation! I'm sorry to hear that there was an emergency on your flight. I understand that there is concern over the matter. Safety is our priority which is why the landing was necessary. There was a maintenance issue that needed to be dealt with. After our maintenance looked at the plane they discovered nothing wrong with it.

**Refund**

Respectfully, we are unable to provide you with a refund. Although the original flight was diverted, we did provide hotel accommodations and covered it with an extra flight.

**We Care About You**

It's important for us to keep good relationships with customers like you. In an effort to prove we can do better, you were issued a \$200 voucher (**30473558277100001**) to use as a discount on a future Frontier flight. Your voucher expires on September 1, 2017, but you do not have to travel within this time frame. Travel just has to be reserved before the expiration date. Further voucher redemption details are below.

**Come Back Soon**

I apologize again for your past experience, and I highly encourage you to give us the chance to impress you on your next flight. I'm confident your next experience with us will be a good one!

Regards,

Ronald  
Customer Relations Specialist  
Frontier Airlines

PS. We want your feedback! Fill out our survey and be entered to win 2 FREE round-trip tickets on Frontier airlines valued at \$400. Click the link to take the survey: <https://www.surveymonkey.com/r/J25VSBQ>

\*One winner will be selected and notified by email each month. Please provide your name and email address at the end of the survey if you would like to be entered to win.

\*\*\*\*\*

Just follow these simple steps to redeem your voucher:

1. Visit [www.flyfrontier.com](http://www.flyfrontier.com) and select your flight.
2. On the payment screen, select Have a Voucher from Frontier? Add Voucher Here, enter your voucher number in the field provided, and select Apply Voucher.

- It's not redeemable for cash.
- It must be booked within 90 days from date of issue.  
Note: There are no restrictions on travel date.
- It's one-time use, meaning there will be no remaining value after redemption.
- It may not cover the entire value of the purchase. Any remaining balance due must be paid by the customer.
- It's not transferable and may only be redeemed in the name of the passenger to whom it was issued.
- The name on the new reservation must match the old reservation exactly.
- It may not be applied toward group bookings or paid options such as baggage, change fees, seat assignments, or other charges.

**Note****06/07/2017 09:37 PM**

There was a mention of a lawsuit over smell/chemical being released from the plane during emergency landing

**Customer ((RES) Joan Sta. Ana)****06/07/2017 09:00 PM**

Your concerns have been forwarded to a Customer Relations specialist for handling in the order received.

**Note ((RES) Joan Sta. Ana)****06/07/2017 09:00 PM**

8056377133  
BB18NN

andrea ci abt her flts last 02Junem, due to emergency/ pax wants someone to call her, to explain what happened on the flt, what they were exposed to, since pax experience burning on her eyes during the flt, as well as for other pax/ pax wants to have more than what

she given which is the \$200 VO/ first pax wants to have a refund on her ticket , and wants additional compensation/ adv that we wont be able to answer her questions regarding on what happened on the flt, why there's a emergency landing, what they were exposed to/ as per pax, she's working with some people, for a legal/ possible DOT trigger, was adv to connect call over to a sup, as per coach.

**\*\*hd//notes\*\***

andrea ci want to file a complaint about the flt last june 2nd//the plane did a emergency landing due to mechanical issue//there was a bad smell comming out from the cabin//pax insist that they need to come out of the plane but need to be by group of 10//pax said that no one provide food or water//no one update the passengers what was going on or what happen to the flt//pax dont want the \$200 VO and asking for a rfnd for the boarded flt//adv that reservation cannot process any rfnd for boarded flt//pax start mention about lawsuit//adv that i will forward the concern to CR//adv that she will receive an email confirmation within 48 hrs//adv CR office hours//pax ok//eoc//  
ggali006//bgo

### Primary Contact

First Name: Andrea  
Last Name: Ridgell  
Organization:  
Login:  
Title:  
Contact Type:  
Email: andrea@glopandglam.com  
Email - Alternate #1:  
Email - Alternate #2:  
Office Phone:  
Mobile Phone:  
Fax:  
Assistant Phone:  
Home Phone:  
Street  
City  
State/Province  
Postal Code  
Country US

### Additional Information

Flight Number: 1630  
Departure City: LAX  
Destination City: MCO  
Received Type: QUE - CR\_RSP (CR response needed)  
Station: MARKETING/PRICING/POLICY/Revenue Mgmnt

### Verbatim

Pax is requesting a refund due to emergency landing and smell on the plane.

### Resolution

06/07/2017 Ronald: Apologized and informed pax of refund policy.

**PROOF OF SERVICE**  
**STATE OF CALIFORNIA**  
**COUNTY OF SAN FRANCISCO**

I am a employed in the County of San Francisco, State of California, I am over the age of eighteen years, and not a party to the within action. My business address is 101 Second Street, 24th Floor, San Francisco, California 94105.

On May 20, 2019, I served the document(s) described as:

**DECLARATION OF JAMES E. NIDES IN SUPPORT OF FRONTIER AIRLINES INC.'S MOTION FOR SUMMARY JUDGMENT**

on the parties in this action addressed as follows:


**SEE ATTACHED SERVICE LIST**

in the following manner:

- ☐ **(BY FAX):** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m.
- ☐ **(BY MAIL):** as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.
- ☐ **(BY OVERNIGHT DELIVERY):** I caused such envelope(s) to be delivered to an overnight delivery carrier with delivery fees provided for, addressed to the person(s) on whom it is to be served.
- ☐ **(BY PERSONAL SERVICE):** I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s).
- ☒ **(BY CM/ECF):** by electronic filing system with the clerk of the Court which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have filed a Notice of Consent to Electronic Service in this action:

I declare I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on May 20, 2019, at San Francisco, California.

  
\_\_\_\_\_  
Sonja L. Gray

CLYDE & CO US LLP  
633 West 5<sup>th</sup> Street, 26<sup>th</sup> Floor  
Los Angeles, California 90071  
Telephone: (213) 358-7600

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